

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CODY LEAVITT,

Plaintiff,

vs.

HAROLD WICKHAM, et al.,

Defendants.

Case No. 2:13-cv-00490-GMN-CWH

ORDER

Presently before the court is Plaintiff Cody Leavitt's Motion for Production of Transcripts at Government Expense (ECF No. 61), filed on May 27, 2016. Plaintiff requests transcripts of the following docket numbers: 1, 7, 9, 13, 23, 45, 49, 51, 54, and 56. The court has reviewed the docket in this case and finds that these docket numbers correspond to written filings, not court hearings for which a transcript can be prepared. The court therefore will deny Plaintiff's motion to the extent he requests transcripts.

In his motion, however, Plaintiff references an Order by the Ninth Circuit dated May 19, 2016, in case number 15-16654, which is the case number corresponding to Plaintiff's appeal of this case. The court has reviewed the Ninth Circuit's Order that Plaintiff references, which states in relevant part that "[t]he request for district court documents is denied. This denial is without prejudice to appellant making such a request for documents with the district court. *See* 9th Cir. R. 30-3."

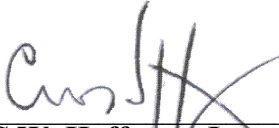
Ninth Circuit Rule 30-3 provides that "[i]n cases involving appeals by prisoners not represented by counsel, the clerk of the district court shall, within 21 days from the receipt of the prisoner's written request, forward to the prisoner copies of the documents to comprise the excerpts of record." Given that Plaintiff is a prisoner who is not represented by counsel, the court construes

1 Plaintiff's motion for transcripts as a motion for copies of the documents referenced in his motion.
2 Thus, to the extent Plaintiff requests copies of docket numbers 1, 7, 9, 13, 23, 45, 49, 51, 54, and
3 56, the court will grant Plaintiff's motion.

4 IT IS THEREFORE ORDERED that Plaintiff Cody Leavitt's Motion for Production of
5 Transcripts at Government Expense (ECF No. 61) is GRANTED in part and DENIED in part. It is
6 granted to the extent that Plaintiff requests copies of the documents filed at docket numbers 1, 7, 9,
7 13, 23, 45, 49, 51, 54, and 56. It is denied to the extent that Plaintiff requests transcripts of these
8 docket numbers because no such transcripts exist.

9 IT IS FURTHER ORDERED that the Clerk of Court must send to Plaintiff via U.S. Mail
10 copies of the following documents: ECF Nos. 1, 7, 9, 13, 23, 45, 29, 51, 54, and 56.

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12 DATED: June 6, 2016

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16 **C.W. Hoffman, Jr.**
17 **United States Magistrate Judge**
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